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**FILED**

DISTRICT COURT OF GUAM

SEP 22 2005 *[Signature]*

MARY L.M. MORAN  
CLERK OF COURT

7 Attorneys for the United States of America

8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE TERRITORY OF GUAM**

10 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 05-00016  
11 Plaintiff, ) GOVERNMENT'S STATEMENT  
12 ) ADOPTING FINDINGS OF  
13 vs. ) PRESENTENCE REPORT, AND MOTION  
DUANE ANTHONY CALVO, ) FOR A ONE-LEVEL DEPARTURE  
14 Defendant. )  
15 \_\_\_\_\_)

16 Pursuant to General Order 88-1, as amended by General Orders 93-00006 and 98-00002,  
17 the United States adopts the findings of the Presentence Report for the above defendant.

18 In addition, the United States of America, plaintiff, by and through the undersigned  
19 counsel Karon V. Johnson, Assistant United States Attorney, moves this Honorable Court for a  
20 one level departure downward from the guidelines sentencing level pursuant to USSG § 3E1.1(b)  
21 because the defendant timely notified the government of his intention to enter a plea of guilty,  
22 thereby permitting the government to avoid preparing for trial and permitting the court to allocate  
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1 its resources efficiently. As reflected in the presentence report, defendant's total offense level  
2 will be 35, with a sentencing range of 188-235 months. The government will be recommending  
3 188 months incarceration.

4 RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of September, 2005.

5 LEONARDO M. RAPADAS  
6 United States Attorney  
Districts of Guam and NMI

7  
8 By: Karon V. Johnson  
KARON V. JOHNSON  
9 Assistant U.S. Attorney